

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

The bill does not appear to implicate any of the House Principles.

B. EFFECT OF PROPOSED CHANGES:

Present Situation:

The No Child Left Behind Act (NCLB)

NCLB was passed by Congress in 2001 and focuses on several areas of education policy reform. The goals of NCLB are to:

- Close the achievement gap through accountability and high standards
- Improve literacy by putting reading first
- Expand flexibility and reduce bureaucracy
- Reward success and sanction failure
- Promote informed parental choice
- Make schools safer for the 21st century¹

NCLB reforms the previously enacted Elementary and Secondary Education Act (ESEA) and links federal funding to “specific performance goals to ensure improved results.”²

The Individuals with Disabilities Education Act (IDEA)

IDEA was enacted in 1975 and has been subsequently amended, most recently in 2004.³ IDEA creates guidelines for how states and school districts provide special education to children with disabilities.⁴ In 2004, amendments were adopted to align the provisions of IDEA with the provisions of NCLB, including funding and assessment requirements.⁵ States must conduct evaluations in order to assure compliance with IDEA regulations and must determine and aid a school district needing help to meet IDEA requirements. A school district not in compliance with IDEA could affect receipt of federal funding.⁶

Currently, the Florida Department of Education (DOE) is “fully implementing the requirements of IDEA 2004.”⁷

¹Whitehouse “Blueprint” for the No Child Left Behind Act, *available at* <http://www.whitehouse.gov/news/reports/no-child-left-behind.html> (last visited Mar. 10, 2008).

² *Id.*

³ Office of Special Education and Rehabilitative Services (OSERS) in the U.S. Department of Education, IDEA-Reauthorized Statute, *Alignment with the No Child Left Behind Act*, *available at* <http://www.nichcy.org/resources/IDEA2004resources.asp#statute> (last visited Mar. 10, 2008).

⁴ *Id.*

⁵ OSERS *supra* note 3.

⁶ DOE, *2008 Bill Analysis for HB 925*, Feb. 21, 2008.

⁷ *Id.*

Education Performance Accountability System

Florida has implemented an education performance accountability system. The legislative intent of the system is to “assess the effectiveness of Florida’s seamless K-20 education delivery system.” The system provides answers to the “following questions in relation to [the system’s] mission and goals:

1. What is the public receiving in return for funds it invests in education?
2. How effectively is Florida’s K-20 education system educating its students?
3. How effectively are the major delivery sectors promoting student achievement?
4. How are individual schools and postsecondary education institutions performing their responsibility to educate their students as measured by how students are performing and how much they are learning?”⁸

The education performance accountability system is established as a “single, unified accountability system with multiple components, including, but not limited to, measure of adequate yearly progress, individual student learning gains in public schools, school grades, and return on investment.”⁹ Florida law currently provides the legislative intent that DOE ensure the K-20 education accountability system is in compliance with the requirements of NCLB.¹⁰

Effect of Proposed Changes:

HB 925 amends s. 1008.31(1)(c), F.S., to provide, “The K-20 education performance accountability system [must] comply with the requirements of the ‘No Child Left Behind Act of 2001,’ Pub. L. No. 107-110, and the ‘Individuals with Disabilities Education Act,’ as amended.”

DOE currently oversees school districts’ implementation of IDEA.¹¹ This bill amends legislative intent to require that the K-20 education performance accountability system comply with the requirements of IDEA, similarly to how the system must currently comply with the requirements of NCLB.

C. SECTION DIRECTORY:

Section 1. Amends section 1008.31, Florida Statutes, to provide legislative intent to ensure the K-20 education performance accountability system is in compliance with IDEA.

Section 2. Provides an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

⁸ § 1008.31 (1)(a), Fla. Stat.

⁹ § 1008.31 (1)(b), Fla. Stat.

¹⁰ § 1008.31(1)(c), Fla. Stat.

¹¹ DOE *supra* note 6.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

The bill does not appear to require a county or municipality to spend funds or take an action requiring expenditures.

The bill does not appear to reduce the authority that counties and municipalities have to raise revenues in the aggregate.

This bill does not appear to reduce the percentage of state tax shared with counties or municipalities.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

D. STATEMENT OF THE SPONSOR:

No statement submitted.

IV. AMENDMENTS/COUNCIL SUBSTITUTE CHANGES

Not applicable.